



Order Filed on May 27, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption In Compliance With D.N.J. LBR 9004-1(b)

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In Re:

VARUN MALIK,

Debtor.

Case No. 22-11708 CMG

Judge: Hon. Christine M. Gravelle

Chapter 11

**ORDER ON DEBTOR'S MOTION FOR ORDER QUASHING FED. R. BANKR. P. 2004
SUBPOENAS ISSUED BY FULTON BANK, N.A. DIRECTED TO SWATI BHATHEJA
A/K/A SWATI MALIK PURSUANT TO D.N.J. LBR 2004-1(d) AND 11 U.S.C. § 105(a) AND
FOR RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby
ORDERED.

DATED: May 27, 2022

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Page 2 of 3

Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order On Debtor's Motion For Order Quashing Fed. R. Bankr. P. 2004 Subpoena Issued By Fulton Bank, N.A. Directed To Swati Bhatheja a/k/a Swati Malik Pursuant To D.N.J._LBR 2004-1(d) And 11 U.S.C. § 105(a) And For Related Relief

This matter having been opened to the Court by Varun Malik (the "Debtor"), by and through his counsel, Middlebrooks Shapiro, P.C., in the above-captioned bankruptcy case (the "Bankruptcy Case"), on the Debtor's Motion For Order Quashing Fed. R. Bankr. P. 2004 Subpoena Issued By Fulton Bank, N.A. Directed to Swati Bhatheja a/k/a Swati Malik Pursuant To D.N.J._LBR 2004-1(d) And 11 U.S.C. § 105(a) And For Related Relief (the "Motion"); and good and sufficient notice of the Motion having been provided; and the Court having considered the moving papers and the opposition filed by Fulton Bank, N.A. (the "Fulton Bank"), by and through its counsel, Duane Morris LLP, and the arguments of counsel; and the Court having determined that good cause exists for the entry of this Order,

IT IS ORDERED as follows:

1. The Motion be and hereby is GRANTED, in part, and DENIED, in part, as set forth herein.
2. Swati Bhatheja shall produce to Fulton Bank's counsel all documents set forth on Exhibit A attached hereto (the "Bhatheja Documents") two (2) weeks from the entry date of the within Order.
3. Swati Bhatheja shall appear for an in-person 2004 examination at the Newark office of Duane Morris LLP on a mutually acceptable date, but no later than four (4) weeks from the entry date of the within Order (the "Bhatheja Examination").
4. The Debtor, the Debtor's counsel, and other parties in interest may appear at the Bhatheja Examination remotely via Zoom and/or other audio-video conferencing methods.

Page 3 of 3

Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order On Debtor's Motion For Order Quashing Fed. R. Bankr. P. 2004 Subpoenas Issued By Fulton Bank, N.A., To Habib American Bank And Glenwood Office Furniture II Pursuant To D.N.J._LBR 2004-1(d) And 11 U.S.C. § 105(a) And For Related Relief

5. Any discovery produced in connection with the Bhatheja Examination, including but not limited to the Bhatheja Documents, shall not be used by Fulton Bank or any third party in any case or action except for the instant Bankruptcy Case without further Order from this Court.

EXHIBIT A

RIDER

- 1 Bank Statements for all bank accounts that you are an authorized signatory for years 2017, 2018, 2019, 2020, 2021 and 2022;
- 2 Copies of all of your W-2 statements or 1099 statements for years 2017, 2018, 2019, 2020, 2021 and 2022;
- 3 Copies of documents relating to your ownership of and the sale, transfer, purchase or acquisition of property located at 44 Denise Drive, Edison, NJ, 1 Skytop Road, Edison, NJ, and 21 Maida Road, Edison, NJ;
- 4 Copies of any of your personal financial statements provided to any persons during the years 2017, 2018, 2019, 2020, 2021 and 2022; and,
- 5 Copies of any loan applications and loan documents or guarantees in which you were a party to during the years 2017, 2018, 2019, 2020 and 2021.